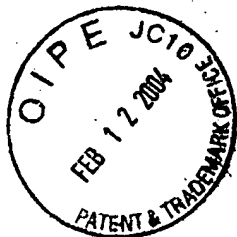


DECLARATION - USA PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled GLAUCOMA IMPLANT WITH THERAPEUTIC AGENTS; the specification of which was filed on **November 12, 2003** as Application Serial No. **10/706,300**.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above;

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56;

I hereby claim the benefit under Title 35, United States Codes § 119(e) of any United States provisional application(s) listed below.

Application No.: 60/281,247

Filing Date: April 3, 2001

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below, and insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56, which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Prior U.S.A. Application(s)

Application No.: 10/046,137

Filing Date: **November 08, 2001**

Status: **Pending**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: **Hosheng Tu**

Inventor's signature Hosheng Tu

Date 1-28-2004

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Citizenship: **United States**

Post Office Address: **Same as Above**

Full name of second inventor: **Barbara Niksch**

Inventor's signature Barbara A. Niksch

Date January 28, 2004

Residence: **28571 Jaeger Drive, Laguna Niguel, California 92677**

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Full name of third inventor: **David Haffner**

Inventor's signature David Haffner

Date 27 JAN 04

Residence: **24681 Via San Fernando, Mission Viejo, California 92692**

Citizenship: **United States**

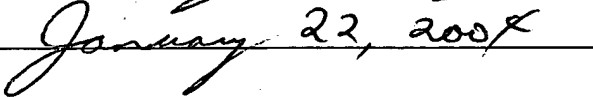
Post Office Address: **Same as Above**

Full name of fourth inventor: **Gregory Smedley**

Inventor's signature



Date



Residence: **15 Crimson Canyon, Aliso Viejo, California 92656**

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